

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL NO. 08-284
v.	*	SECTION: "J" (3)
CHARLES W. PANE	*	
	*	*
	*	*

FACTUAL BASIS

Should this case have proceeded to trial the Government would prove beyond a reasonable doubt through the testimony of competent witnesses and the introduction of admissible evidence that on October 20, 2006, in the Eastern District of Louisiana, the defendant, **CHARLES W. PANE** , did knowingly and willfully enter an airport area that serves an air carrier, in violation of security requirements prescribed under Title 49, United States Code, Section 44901, by attempting to carry a loaded handgun in his carry-on luggage, to wit: a Colt Model 38, Police Positive, .38 caliber handgun, bearing serial number 111099 and six rounds of .38 caliber ammunition; all in violation of Title 49, United States Code, Section 46314.

More particularly, employees of the Transportation Safety Administration ("TSA") would testify that on October 20, 2006, **PANE** was a ticketed passenger on a Continental Airlines flight scheduled to depart Louis Armstrong International Airport in Kenner, Louisiana en route to Houston, Texas. After arriving at the airport, **PANE** proceeded through the security checkpoint and placed

his carry-on bag on the x-ray belt. As he walked through the check point, the TSA screener observed what appeared to be a handgun in the carry-on bag on the X-ray machine. A subsequent visual inspection of the bag confirmed that the weapon was the aforementioned Colt handgun with six rounds of ammunition in the magazine.

PANE was questioned by the TSA representative about the handgun and voluntarily admitted to possession of the handgun and stated that he had forgotten that he had placed the gun in his bag.

A representative of TSA would testify that the possession of firearms is prohibited by TSA regulations and federal law, particularly 49 U.S.C. Sec. 44901, and that there are multiple signs and placards exhibited at the airport on the route **PANE** had walked warning passengers in large, bold-faced type of these security regulations.

W. SCOTT LARAGY
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CHARLES W. PANE
Defendant

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